

Assembly Bill No. 277

Passed the Assembly May 21, 2009

Chief Clerk of the Assembly

Passed the Senate July 16, 2009

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 131103 and 131241 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 277, Ammiano. Transportation: local retail transaction and use taxes: Bay Area.

The Bay Area County Traffic and Transportation Funding Act establishes a process for each of the 9 counties in the San Francisco Bay area to impose a retail transactions and use tax for transportation purposes subject to voter approval. Existing law provides for a county transportation expenditure plan to be developed in that regard, with expenditures from tax revenues to be administered by a county transportation authority, or, alternatively, by the Metropolitan Transportation Commission. Existing law requires the membership of a county transportation authority to be specified either in the county transportation expenditure plan or in the retail transactions and use tax ordinance.

This bill would delete the option of specifying the membership of the authority in the retail transactions and use tax ordinance.

The people of the State of California do enact as follows:

SECTION 1. Section 131103 of the Public Utilities Code is amended to read:

131103. The county, in the retail transactions and use tax ordinance, shall state the nature of the tax to be imposed and shall specify the purposes for which the revenues derived from the tax will be used.

SEC. 2. Section 131241 of the Public Utilities Code is amended to read:

131241. (a) The county transportation authority shall consist of the members who are elected officials as specified in the county transportation expenditure plan, and shall be appointed by each constituent local government within 45 days after the authority is created.

(b) At the first meeting of the county transportation authority, one-half of the members, and the odd-numbered member if the membership of the county transportation authority is odd-numbered, shall be selected by lot to serve terms consisting of the remaining months of the current calendar year, if any, plus two years, and the remaining members shall be selected by lot to serve a term consisting of the remaining months of the current calendar year, if any, plus three years. Thereafter, appointments for all members shall be for two-year terms, beginning on January 1.

(c) If any member or alternate member ceases to be an elected official, that member shall cease to be a member of the county transportation authority, and another member shall be appointed for the remainder of the term by the constituent local government that that member represents.

(d) An alternate may be designated for each regular member. A regular member who, pursuant to the county transportation expenditure plan, serves by virtue of holding a specified public office, may designate a person to serve as his or her alternate. In the case of any other regular member, the appointing constituent local government may designate an alternate to the regular appointed member. The alternate's term of office shall be the same as that of the regular member. When the regular member is not present at the meeting of the authority, the alternate may act as the regular member and shall have all the rights, privileges, and responsibilities of the regular member.

Approved _____, 2009

Governor